

REMARKS

After the foregoing Amendment, claims 12-18 are currently pending in this application. Claims 1-11 have been canceled without prejudice or disclaimer and replaced with new claims 12-18.

Claim Rejections - 35 USC §103(a)

Claims 3-11 stand rejected under 35 U.S.C. § 103(a) as obvious over Parker (U.S. Patent No. 6,127,799), Telia (WO 98/57511) and O'Connell et al. (U.S. Patent No. 6,052,581). Applicants respectfully submit, however, that new claims 12-18 are patentable over the cited references of record for at least the reasons set forth below.

Applicants' claim 12 recites:

A method of unlocking a mobile terminal that is...pre-programmed with a telephone number corresponding to a manufacturer of the mobile terminal...comprising:

the mobile terminal connecting to the manufacturer via the pre-programmed telephone number, transmitting an unlocking request that includes the pre-assigned identification number and requesting unlocking information from the manufacturer....

(Emphases added). This feature may be found, for example, in Applicants' originally filed specification at page 5, lines 24-32 and page 6, lines 9-11. No new matter has been added.

In the Advisory Action dated March 25, 2009, the Examiner clarified his position regarding the alleged combination of Parker, Telia and O'Connell:

O'Connell was cited to cure the deficiency that the combination of Parker and Telia not explicitly teaching establishing a communication using a calling number relating to the manufacturer of the handset in order to perform the unlocking function. O'Connell teaches that a user may call a manufacturer in order to request activation of a feature (column 9, lines 25-37). This aspect of O'Connell is interpreted by the Examiner to broadly teach calling a telephone number of a manufacturer for a service activation and is incorporated into the combination of Parker and Telia.

In conclusion, the combination of the three inventions is regarded by the Examiner as the activation process of Parker, wherein the handset is locked by the manufacturer, taught by Telia, and further modified wherein a calling number of the manufacturer is used to initiate the activation process, taught by O'Connell, therefore satisfying the aforementioned claim limitations. Accordingly the rejection of independent claim 9 has been maintained.

There is no disclosure, teaching or suggestion in O'Connell of the mobile terminal transmitting "an unlocking request that includes the pre-assigned identification number and requesting unlocking information from the manufacturer." (Emphasis added). Nor is this feature of new claim 12 disclosed, taught, or suggested by any of O'Connell, Parker or Telia.

Accordingly, for at least the reasons set forth above, claim 12 is patentable over the cited references of record, whether taken alone or in any combination with one another.

Claims 13-18 depend, either directly or indirectly, from patentable independent claim 12. Accordingly, claims 13-18 are patentable over the cited

references of record for at least the same reasons as patentable independent claim 12.

Further, with respect to claims 13 and 14, none of the references cited, either alone or in any combination with one another disclose, teach, or suggest the mobile terminal sending the unlocking request via the mobile services provider in such a way that unlocking message is transparent to the mobile services provider. Accordingly, claims 13 and 14 are patentable for this reason as well as their depending from patentable independent claim 12.

Claims 3-11 are cancelled. Thus, the § 103(a) rejections of these claims are now moot.

Based at least on the arguments presented above, Applicants respectfully request withdrawal of the 35 U.S.C. § 103(a) rejections of claims 3-11 and allowance of claims 12-18.

Conclusion

If the Examiner believes that any additional minor formal matters must be addressed in order to place this application in condition for allowance, or that a telephonic interview will help to materially advance the prosecution of this application, the Examiner is invited to contact the undersigned by telephone at the Examiner's convenience.

In view of the foregoing amendment and remarks, the present application is in condition for allowance, and Applicants respectfully request a notice to that effect.

Respectfully submitted,

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